

State of South Dakota

EIGHTY-FIFTH SESSION LEGISLATIVE ASSEMBLY, 2010

763R0544

HOUSE ENGROSSED NO. **SB 169** - 3/8/2010

Introduced by: Senators Turbak Berry, Adelstein, Ahlers, Bradford, Dempster, Gillespie, Heidepriem, Maher, Merchant, Nelson, Olson (Russell), Peterson, Rhoden, and Schmidt and Representatives Cutler, Deadrick, Engels, Faehn, Gibson, Greenfield, Hamiel, Hunhoff (Bernie), Jensen, Juhnke, Kirkeby, Krebs, Lust, Moser, Nygaard, Pitts, Solberg, Solum, Turbiville, and Verchio

1 FOR AN ACT ENTITLED, An Act to limit the subrogation of certain insurers unless and until
2 the insured is made whole.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That chapter 58-11 be amended by adding thereto a NEW SECTION to read as
5 follows:

6 No insurer under this chapter is entitled to participate in any recovery from any tortfeasor
7 on account of bodily injury or death or damage to property unless and until its insured has first
8 been made whole. The provisions of this Act do not apply to any workers' compensation
9 recovery.

